

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31032 of 2021**

Arising Out of PS. Case No.-207 Year-2019 Thana- MAHUA District- Vaishali

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JAHINDRA SAHNI S/o Ramnath Sahni Resident of Village- Asoi
Lachhiram, P.S.- Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Adv
For the Opposite Party/s : Mr.A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 07-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 395,397 and 412 of IPC.

As per prosecution case, on 05.04.2019 at about 12O'clock (at night) 20 unknown criminal armed with deadly weapons entered into the house and committed dacoity in the house of informant on the point of pistol in which dacoits assaulted the son of informant causing injury to him and looted jewellery, cash and mobile phones.



Learned counsel for the petitioner submits that the petitioner has clean antecedent. In fact the petitioner is not named in the FIR. The name of the petitioner has transpired only on the basis of the confessional statement of co-accused, namely, Jaffar Qurashi. He further submits that except the confessional statement of co-accused, nothing has come, during investigation, against the petitioner and the similarly situated co-accused persons, namely, Binod Sahni @ Binod Kumar has been granted privilege of anticipatory bail vide order dated 02.12.2020 by a Coordinate Bench of this Hon'ble Court in Cr. Misc. No.29044 of 2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Mahua P.S. Case No. 207 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure and with other following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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